

~~HB.~~ NO. 408
SB

BY: Harvard
Spears

A BILL
TO BE ENTITLED

AN ACT amending Articles I577 and I578a, and adding Article I578b, Penal Code of Texas, 1925, concerning employment of children, repealing Article 518I, Revised Civil Statutes of Texas, 1925, and all other laws and parts of laws in conflict herewith; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section I. Article I577, Penal Code of Texas, 1925, is hereby amended so as to read as follows:

"Article I577. Exemptions

"Upon application being made to the County Judge of any county in which any child over the age of fourteen years shall reside, the earnings of which child are necessary for the support of itself, its mother when widowed or in needy circumstances, invalid father, or of other children younger than the child for whom the permit is sought, the said County Judge may upon the affidavit of such child or its parents or guardian, that the child for whom the permit is sought is over fourteen years of age, that the said child has completed the seventh grade in a public school, or its equivalent, that it shall not be employed in or around any mill, factory, workshop, or other place where dangerous machinery is used, nor in any mine, quarry or other place where explosives are used, or where the moral or physical condition of such child is liable to be injured, and that the earnings of such child are necessary for the support of such invalid parent, widowed mother or mother in needy circumstances, or of younger children, and that such support cannot be obtained in any other manner, and that suitable employment has been obtained for such child, which affidavit shall be accompanied by the certificate of a licensed physician showing that such child is physically able to perform the work or labor for which the permit is sought, issue a permit for such child to enter such employment. Every person, firm, or corporation employing such child shall post in a conspicuous place where such child is employed, the permit issued by the

County Judge; provided that no permit shall be issued for a period longer than twelve months, but may be renewed from time to time upon satisfactory evidence being produced that the conditions under which the former permit was issued still exist, and no physical or moral injury has resulted to such child by reason of its employment. In every case where a permit is sought for any child, the parent, guardian or other person in charge or control of such child shall appear before the County Judge in person with such child for whom a permit is sought before such permit shall be issued. Nothing in this Act shall prevent the working of school children of any age from June 1 to September 1 of each year except that they shall not be permitted to work in a factory, mill, workshop, or any other place where the employment of children is prohibited by law."

Section 2. Article 1578a, Penal Code of Texas, 1925, is hereby amended so as to read as follows:

"Art. 1578a. Exceptions

"Provided that nothing in this Act shall be construed as prohibiting the employment of any person of nurses, maids, yard-servants or others for private houses and families, regardless of their age. Nothing in this Act shall apply to the employment at farm labor of the members of the family of a farmer, rancher, or dairyman on their own premises, whether owned or leased."

Section 3.

"Art. 1578b.

"Any parent or guardian of any child, or any person who has custody of any child, who knowingly permits such child to accept or continue employment in violation of Articles 1573, 1574, 1575, 1576, or 1577 (Vernon's Penal Code) shall be fined or imprisoned, or both, in such manner as would be any person, or agent, or employee of any person, firm, or corporation who violates the provisions of any of such Articles."

Section 4. Article 518I, Revised Civil Statutes of Texas, 1925, all laws and parts of laws in conflict herewith are repealed.

Section 5. The importance of assuring adequate educational opportunities for all the children of this State creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

S.B. NO. 408 BY: Kennard
Spears

A BILL
TO BE ENTITLED

AN ACT amending Articles 1577 and
1578a, and adding Article 1578b,
Penal Code of Texas, 1925, concern-
ing employment of children,
repealing Article 5181, Revised
Civil Statutes of Texas, 1925,
and all other laws and parts of
laws in conflict herewith; and
declaring an emergency.

MAR 7 1963 _____ Read first time
and referred to Committee
on Jurisprudence